

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47269 of 2021

Arising Out of PS. Case No.-165 Year-2020 Thana- HALSI District- Lakhisarai

MOHIT KUMAR @ MOHIT YADAV S/o JALDHARI YADAV R/o
VILLAGE-DIRA, P.S.-HALSI, DISTRICT-LAKHISARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in Halsi P.S. Case No. 165/2020 registered for the offences punishable under Section 341, 323, 307, 504 & 506/34 of the Indian Penal Code pending in the Court of learned J.M.-I, Lakhisarai.

While the informant was sitting in front of the house of his elder brother suddenly all the accused persons named in the F.I.R. including this petitioner came there and abused him. They also assaulted the informant by means of lathi, danda and axe sustaining injury they fell on the ground



and became unconscious.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is only one injury sustained by the informant which was inflicted by other co-accused and no repetition of any blow. The Petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that the petitioner actively participated in the occurrence and the injuries are grievous in nature. Hence, the petitioner does not deserve bail.

Considering the facts and circumstances of case and particularly considering the criminal antecedents, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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